

REMARKS

This amendment is accompanied by a Request for Continued Examination along with the associated fee and a fee for a two month extension of time, up to November 2, 2005, in view of the Examiner's statement in the Advisory Action that the amendment as previously filed raised new issues requiring further examination and/or search.

The foregoing amendment is responsive to the objections and rejections raised in the Office Action of June 2, 2005, as well as the comments in the Advisory Action. In the Office Action, the Examiner considered the newly added claims filed on March 21, 2005, and raised new objections and rejections directed to those claims.

Claim Objections

Claims 21-28 were objected to. The Examiner found the character "B" in claim 21, line 4 should be changed to "—at said distal end; wherein said first frame has a generally C configuration with an upper arm and a lower arm, and said pivot mount is on outer end of said upper arm--." Applicant has accordingly amended claim 21.

Claims 22-28 were objected to as not being dependent on claim 21. Applicant has amended the claims to properly designate dependencies.

Double Patenting

The Examiner made a double-patenting rejection of claims 21-34 under 35 USC 101, stating that they claim the same invention as that of claim 1-14 of prior U.S. Patent 6,697,118 (hereinafter '118 patent). In the Advisory Action to the amendment which was filed in response to the Office Action, the Examiner contended that "a pivoting link" was inherently included in the amended claims (as well as the '118 patent), since the claims defined "a second frame pivotally mounted to said first frame".

In the foregoing amendment, claims 32 and 34 have been canceled. New claims 35 and 36 have been added, which depends from amended independent claim 29.

Applicant has now amended independent claims 21 and 29 by adding the limitation to a pivoting link which is pivotally connected to the first frame at the pivot mount for rotation about a first normally horizontal pivot axis, and to the second frame

being pivotally connected to the pivoting link. This limitation avoids the double-patenting rejection as the amended claims are different from claims 1-14 of the '118 patent which do not recite any pivoting link which is pivoted to both the first frame and the second frame. Support for the limitation of mounting the second frame through a pivoting link to the first frame is found in Figure 1 (element no. 24), Figure 2 (element 64), and Figure 3 (element 92). See the specification:

p. 3, last paragraph: "A second of two part inner frame 20, 22 is pivotally mounted to the first frame through a pivoting link 24 at a horizontal pivot mount of journal that includes a stud or bolt. 26."

p. 6, second paragraph, second line "link 64"

p. 7, second paragraph, line 13, "pivot 92"

No such pivoting link is described or claimed in the '118 patent. Withdrawal of the double-patenting rejection is therefore respectfully requested.

In view of the amendments and remarks herein, Applicant requests reconsideration of the rejections, and advancement of the claims toward allowance. If there are any remaining objections or rejections which could be dealt with by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned representative at the telephone number below.

Respectfully submitted,

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Docket No. BFSCA 1030612